

# **INDIANA BOARD OF PHARMACY**

## **Indiana Professional Licensing Agency**

Conference Center Room W064  
402 W. Washington St.  
Indianapolis, IN 46204

**MINUTES OF December 8, 2008**

### **CALL TO ORDER & ESTABLISHMENT OF QUORUM**

President and Presiding Officer William Cover called the meeting to order at 9:30 a.m. in Conference Center Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

#### **Board Members Present:**

William Cover, R.Ph., President  
Del T. Fanning, R.Ph., Vice President  
Donna Wall, PharmD., R.Ph, Member  
Sara St. Angelo, PharmD, R.Ph., Member  
Winnie Landis, R.Ph., Member  
Lora Williams, Consumer Member

#### **Board Members not in attendance:**

Steve Anderson, R.Ph., Member

#### **State Officials Present:**

Marty Allain, Board Director, Indiana Professional Licensing Agency  
Ronnie Saunders, Case Manager, Indiana Professional Licensing Agency  
Gordon White, Advisory Counsel

A motion was made and seconded to adopt the agenda.

**St. Angelo/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to adopt the November 2008 Minutes with revisions.

**Wall/Fanning**

**Motion carried 6/0/0**

Compliance Officers presented their reports.

Sanjay Joshi, R.Ph. appeared before the board regarding the use of pharmacy coupons by the public.

Representatives for HomeMed Pharmacy regarding its document management system. A motion was made and seconded to approve the document management system.

**Landis/Fanning**

**Motion carried 6/0/0**

Gail Uminger appeared before the board regarding her expired pharmacist renewal. A motion was made and seconded not to amend the original decision of the board on this renewal requiring the applicant take the NAPLEX and MPJE. Donna Wall recused herself from this personal appearance.

**Landis/St. Angelo**

**Motion carried 5/0/0**

Christopher Curry appeared before the board regarding his pharmacy technician application. A motion was made and seconded to issue a probationary license requiring both a employer report and probationary appearance every two (2) months. Applicant may seek withdrawal of probationary license following resolution of his criminal probation.

**Landis/St. Angelo**

**Motion carried 5/0/0**

Jennifer Rangel appeared before the board regarding her pharmacy technician renewal application. A motion was made and seconded to issue a probationary license with the following terms: Applicant to submit employer quarterly reports; applicant to attend one (1) AA/NA/Caduceus meetings; applicant to attend one (1) counseling session every three (3) months with board approved addictionologist including quarterly reports from the addictionologist; applicant to appear for probationary appearances quarterly; and applicant to provide a copy of the Decision on Renewal Application to her employer for review and signature.

**Landis/St. Angelo**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacist License of Russell Imbler**

License No. 26013574A

Administrative Cause No. 2008 IBP 0044

Re: Final Hearing

**Parties and Counsel Present:**

Mark Mader, DAG

Russell Imbler, Respondent

**Participating Board Members:**

Fanning

St. Angelo

Williams

Cover

Landis

Wall

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

Russell Imbler

**Case Summary:**

A Complaint was filed against the Respondent's license.

**Board Action:**

A motion was made and seconded to issue a letter of reprimand and a \$150.00 fine to be paid within thirty (30) days of the date of the order.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacy License of Broad Ridge Drug Inc**

License No. 60005393A & B

Administrative Cause No. 2008 IBP 0061

Re: Petition for Summary Suspension

**Parties and Counsel Present:**

Mark Mader, DAG  
Glen D. Bowman, Respondent's counsel  
Chukwudi Onwuka, Respondent

**Participating Board Members:**

Fanning  
St. Angelo  
Williams  
Cover  
Landis  
Wall

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Petition for Summary Suspension was filed by the Attorney General's Office on behalf of the State of Indiana.

**Board Action:**

A motion was made and seconded to accept a voluntary indefinite summary suspension of the Pharmacy license prohibiting the operation of the pharmacy with additional terms that include the transfer of all prescriptions within forty eight (48) hours or, in the alternative, if the prescription files cannot be transferred for notice to be sent out to all patients regarding process to transfer prescriptions; qualifying pharmacist shall attempt to sell all inventory on or before the close of business on December 12, 2008 and must provide any potential buyer with notice of last two (2) pharmacy board inspections prior to sale, or in the alternative, must turn over unsold inventory to either the Board of Pharmacy or a licensed reverse distributor; all signage shall reflect the closure with notification on how a prescription may be transferred or where it was transferred; and the pharmacy shall be fully secured and closed no later than the close of business, 5:00 p.m. on December 9, 2008.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacist License of Ernest Whitacre**

License No. 26012865A  
Administrative Cause No. 2002 IBP 0020  
Re: Petition to Withdraw Probation

**Parties and Counsel Present:**

Mark Mader, DAG  
Michelle Baldwin, Respondent's counsel  
Ernest Whitacre, Respondent

**Participating Board Members:**

Fanning  
St. Angelo  
Williams  
Landis  
Wall

Cover recused himself.

**Witnesses for the Respondent:**

Carl Erdman

Ernet Whitacre

**Witnesses for the State:**

None

**Case Summary:**

The Respondent filed a petition to withdraw probation.

**Board Action:**

A motion was made and seconded to accept to withdraw probationary status.

**St. Angelo/Landis**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacist License of Melanie Powell**

License No. 26014597A

Administrative Cause No. 2008 IBP 0070

Re: Final Hearing

**Parties and Counsel Present:**

Heather Kennedy, DAG

Michelle Baldwin, Respondent's counsel

Melanie Powell, Respondent

**Participating Board Members:**

Fanning

St. Angelo

Williams

Cover

Landis

Wall

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed against Respondent's license. The parties presented a settlement agreement.

**Board Action:**

A motion was made and seconded to accept the settlement agreement which place the Respondent's license on indefinite probation with amended additional terms.

**St. Angelo/Fanning**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacist License of John Mathews Jr.**

License No. 26012817A

Administrative Cause No. 2008 IBP 0059

Re: Final Hearing

**Parties and Counsel Present:**

Heather Kennedy, DAG

**Participating Board Members:**

Fanning

St. Angelo

Williams  
Landis  
Wall  
Cover

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed against the Respondent's pharmacist license.

**Board Action:**

A motion was made and seconded to issue a notice of proposed default.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacist License of Joseph Spaulding**

License No. 26012028A

Administrative Cause No. 2008 IBP 0003

Re: Final Hearing

**Parties and Counsel Present:**

Mark Mader, DAG

Joseph Spaulding, Respondent

**Participating Board Members:**

St. Angelo

Williams

Cover

Landis

Wall

Fanning recused himself.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed against the Respondent's pharmacist license.

**Board Action:**

A motion was made and seconded to revoke the pharmacist's license of Respondent.

**Wall/St. Angelo**

**Motion carried 5/0/0**

**In the Matter of the Indiana Pharmacy Technician Certification of Selina King**

Certification No. 67011337A

Administrative Cause No. 2008 IBP 0014

Re: Default Hearing

**Parties and Counsel Present:**

Mark Mader, DAG

**Participating Board Members:**

Fanning  
St. Angelo  
Williams  
Cover  
Landis  
Wall

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

Board issued a notice of proposed default following Respondent's failure to appear at his final hearing.

**Board Action:**

A motion was made and seconded to hold the Respondent in default.

**Wall/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to revoke the Respondent's certification.

**St. Angelo/Wall**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacy Technician Certification of Rickey Murff**

Permit No. 99028846A  
Administrative Cause No. 2008 IBP 0020  
Re: Default Hearing

**Parties and Counsel Present:**

Heather Kennedy, DAG

**Participating Board Members:**

Fanning  
St. Angelo  
Williams  
Cover  
Landis  
Wall

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

Board issued a notice of proposed default following Respondent's failure to appear at her final hearing.

**Board Action:**

A motion was made and seconded to hold the Respondent in default.

**Landis/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to revoke the Respondent's certification.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacy Technician Certification of April Abbott**

Certification No. 67008516A

Administrative Cause No. 2008 IBP 0045

Re: Final Hearing

**Parties and Counsel Present:**

Mark Mader, DAG

**Participating Board Members:**

Fanning

St. Angelo

Williams

Cover

Landis

Wall

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

Board issued a notice of proposed default following Respondent's failure to appear at his final hearing.

**Board Action:**

A motion was made and seconded to issue a notice of proposed default.

**Wall/Landis**

**Motion carried 6/0/0**

**In the Matter of the Indiana Pharmacy Technician Certification of Mark Allen**

Certification No. 67003684A

Administrative Cause No. 2008 IBP 0043

Re: Final Hearing

**Parties and Counsel Present:**

Mark Mader, DAG

**Participating Board Members:**

Fanning

St. Angelo

Williams

Cover

Landis

Wall

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

Board issued a notice of proposed default following Respondent's failure to appear at his final hearing.

**Board Action:**

A motion was made and seconded to issue a notice of proposed default.

**Fanning/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following probationer appearances:

Jason Ashcraft  
Erik Blemker  
Gerry Bowman  
Lawrence Brassard  
Gregory Dodds  
Mark Huntzinger  
Robert Jaberg  
Tina King  
David Koszut  
Joseph Mathys  
Elaine Mittlekamp  
Dennis Mock  
Keith Schmitt  
Jon Stelter

**Fanning/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following probationer appearances:

Philip Faroh  
Tara Feldhaus  
Nicole Grafe  
Christopher King  
Thomas MacLean  
Jeffrey Opel  
Susan Reynolds  
Michael Werner  
Monica Petty  
Kristina Stewart

**Williams/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following probationer appearances:

Barbara Chew  
Thomas Goodge  
Christine Neal  
Linda Rodeman  
James Sagstetter  
Stephen Szalewski  
Samuel Young  
Valerie Ziemkowski



**Landis/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following probationer appearances:

Tracy Davis  
Tony Jacobs  
Angela Kruer  
Britney Palmer

**Wall/St. Angelo**

**Motion carried 6/0/0**

Alexandra Bilbrey, Traci Holling, Teresa Moore, and Donnielle Shead failed to appear for their probationary appearances.

A motion was made and seconded to file an Order to Show Cause against Traci Holling.

**Wall/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to file an Order to Show Cause against Donnielle Shead.

**St. Angelo/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to approve the pharmacist intern application for Julianne Cook.

**St. Angelo/Landis**

**Motion carried 6/0/0**

A motion was made and seconded to approve the license transfer application for Stacy Freeman.

**St. Angelo/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following continuing education hours:

St. Joseph County Pharmacy Assoc	(2-1hr)
Viktorija Trakis	(.5)
Parkview Hospital Pharmacy	(2-0.5 hr)

**St. Angelo/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following applications for pharmacy technician certification:

Rosamay Johnson  
Jasmine Arnold  
Matthew Martin  
Daniel Brinkworth II  
Nevada Shirley  
Jenna Porter

**St. Angelo/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to table the following pharmacy technician application and request a personal appearance:

Matthew Becker

**Wall/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to table the following pharmacy technician application and request a personal appearance:

Judy Price

**Wall/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to table the following requests to extend pharmacy technician-in-training certifications and request a personal appearance:

Paula Smith  
Somkuon Hocharoen

**Wall/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to approve the non-resident pharmacy for Sav-Rx Pharmacy.

**St. Angelo/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to approve the wholesale drug distributor application for Top Rx, Inc. conditioned upon its reapplication for VAWD accreditation.

**St. Angelo/Wall**

**Motion carried 6/0/0**

Board Director's Report

Discussion on Labeling Concentrations of Liquid Medications

The meeting adjourned at 4:30 p.m.

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**William Cover, R.Ph., President**  
**Indiana Board of Pharmacy**

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**Date**

**Next Scheduled Meeting:**

Monday, December 8, 2008  
Indiana Government Center South, Room W064